

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CLIFFORD CASMENTO, JR.,

Plaintiff,

-v-

VOLMAR CONSTRUCTION INC.,
EFSTATHIA MARINAKIS, and
JOHN VOLANDES

Defendants.

20-cv-0944 (LJL)

VERDICT FORM

**PLEASE FOLLOW ALL INSTRUCTIONS, CHECK (✓) YOUR ANSWERS, AND
FILL IN THE BLANKS**

All Answers Must Be Unanimous

Liability

1. Has the plaintiff proven by a preponderance of the evidence that defendants demoted him and/or terminated his employment because he complained about or reported conduct or circumstances he reasonably believed to violate the law?

YES: _____

NO: X _____

If and only if you have answered yes to Question 1, please indicate below whether you find that plaintiff has prevailed under New York State law, New York City law, or both:

New York State law:

YES: _____

NO: _____

New York City law:

YES: _____

NO: _____

If and only if you have answered yes to Question 1, please indicate below which defendant or defendants you have found liable on this count:

Volmar Construction, Inc.:

YES: _____

NO: _____

Efstathia Marinakis:

YES: _____

NO: _____

John Volandes:

YES: _____

NO: _____

2. Has the plaintiff proven by a preponderance of the evidence that defendants demoted him and/or terminated his employment because of a visual disability or because he opposed or complained about unlawful practices related to workplace disability?

YES: _____

NO: ~~_____~~

If and only if you have answered yes to Question 2, please indicate below whether you find that plaintiff has prevailed under New York State law, New York City law, or both:

New York State law:

YES: _____

NO: _____

New York City law:

YES: _____

NO: _____

If and only if you have answered yes to Question 2, please indicate below which defendant or defendants you have found liable on this count:

Volmar Construction, Inc.:

YES: _____

NO: _____

Efstathia Marinakis:

YES: _____

NO: _____

John Volandes:

YES: _____

NO: _____

3. Has the plaintiff proven by a preponderance of the evidence that he requested reasonable accommodation for his disability and that defendants failed to make such accommodation?

YES: ☒

NO: ☐

If and only if you have answered yes to Question 3, please indicate below whether you find that plaintiff has prevailed under New York State law, New York City law, or both:

New York State law:

YES: ☒

NO: ☐

New York City law:

YES: ☒

NO: ☐

If and only if you have answered yes to Question 3, please indicate below which defendant or defendants you have found liable on this count:

Volmar Construction, Inc.:

YES: ☒

NO: ☐

Efstathia Marinakis:

YES: ☐

NO: ☒

John Volandes:

YES: ☐

NO: ☒

If you have answered "yes" to any of the above questions, go on to Question No. 4. If you have answered "no" to all the above questions, please stop here, and date and sign the last page of the verdict form.

Damages

4. Compensatory Damages. Please state the total amount, if any, of compensatory damages that the plaintiff has proven by a preponderance of the evidence that he is entitled to.

\$ 0

If and only if you have answered yes to Question 4, please indicate below which defendant or defendants you have found liable for these damages:

Volmar Construction, Inc.:

YES: _____

NO: _____

Efstathia Marinakis:

YES: _____

NO: _____

John Volandes:

YES: _____

NO: _____

5. Nominal Damages. Please state the total amount, if any, of nominal damages that you have determined should be awarded to the plaintiff.

\$ 0

If and only if you have answered yes to Question 5, please indicate below which defendant or defendants you have found liable for these damages:

Volmar Construction, Inc.:

YES: _____

NO: _____

Efstathia Marinakis:

YES: _____

NO: _____

John Volandes:

YES: _____

NO: _____

6. Punitive Damages. Please state the total amount, if any, of punitive damages that you have determined should be awarded to the plaintiff.

\$ 300,000

If and only if you have answered yes to Question 6, please indicate below which defendant or defendants you have found liable for these damages:

Volmar Construction, Inc.:

YES: ✓

NO:

Efstathia Marinakis:

YES:

NO: ✓

John Volandes:

YES:

NO: ✓

[Please sign your names in the space provided on the next page, fill in the date, and inform the officer that you have reached a verdict.]

After completing the form, each juror who agrees with this verdict must sign below:



Dated:

6/7/2022